

REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 1-18 are amended. The amendments to the claims introduce no new matter as the substantive amendments to claim 1 are supported by at least Figs. 19-21, the specification at page 41, line 6 to page 43, line 13, and claim 1, as originally filed. Claims 8, 10, 12, 14, 16 and 17 were previously provisionally withdrawn from consideration. Reconsideration based on the above amendments and the following remarks is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Klimowicz in the November 8, 2004 telephone interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action, on page 2, continues to hold claims 8, 10, 12, 14, 16 and 17 withdrawn from consideration as being drawn to a non-elected invention, there being **no allowable** generic or linking claim. Applicants respectfully renew the assertion made twice in response to previous Office actions that claim 1 is generic, and because claims 8, 10, 12, 14, 16 and 17 depend either directly or indirectly therefrom, upon allowance of claim 1, those claims should be rejoined and allowed.

The Office Action on pages 2 and 3, rejects claims 1-7, 9, 11, 13, 15 and 18 under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Office Action states that the scope of claim 1 is indefinite due to inconsistencies between what is respectively recited in the preamble and the body of claim 1. Claim 1 is amended to obviate the rejection. Claims 2-18 are amended for consistency with the amendments to claim 1.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-7, 9, 11, 13, 15 and 18 under 35 U.S.C. §112, second paragraph, are respectfully requested.

The Office Action on page 4, again rejects claims 1-7 and 9 under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent No. JP 08-045220 A to Yoda. This rejection is respectfully traversed.

Yoda teaches a floating magnetic head for a hard disk wherein the head has a slider (28) with surface receiving moving air generated by the rotation of a magneto-optical disk (11) (Abstract). Specifically, Yoda discloses a slider (28) in contact with the recording medium at the rail surface (30) when the recording medium is at rest (Fig. 2). Applicants, respectfully renew the previously promulgated argument that this configuration results in a large surface area of the slider (28) resting on the recording medium. As a result, it is possible that the slider and the recording medium would then stick to each other. The Office Action does not disagree with this assessment of the Yoda structure.

Claim 1 recites, among other features, a device, comprising: a rotating recording medium; and a slider of a thin-film magnetic head, the slider comprising: a slider main body having: a medium facing surface that faces toward the recording medium; an air inflow end; and an air outflow end; and a thin-film magnetic head element disposed near the air outflow end and near the medium facing surface of the slider main body, wherein: the medium facing surface has: a first part closer to the air outflow end; a second part closer to the air inflow end; and a ridge line formed by intersection of the first part and the second part, the second part being slanted with respect to the first part. Claim 1 also recites that while the recording medium is at rest, the slider main body is in contact with the surface of the recording medium at the ridge line, and the first part and the second part slant with respect to the surface of the recording medium so that the air outflow end and the air inflow end are off the recording medium.

The Office Action treats the language relating to the air outflow end and the air inflow end are off the recording medium as being an intended use phrase, because only the slider was

previously positively recited. However, with the foregoing amendments, the claims are drawn more generally to a device, and positively recite the recording medium, as well as the slider. The phrase, therefore, may no longer be considered as "intended use," and therefore claim 1 is patentably distinct from Yoda.

For at least these reasons, Applicants respectfully submit that Yoda neither discloses nor suggests the combination of features recited in independent claim 1. Applicants further respectfully submit that dependent claims 2-7 and 9 include all of the features recited in independent claim 1 from which they directly and indirectly depend. For at least this reason, Applicants respectfully submit that claims 2-7 and 9 are also distinguishable over Yoda.

Applicants' representative discussed the above rejections with Examiner Klimowicz during the November 8 telephone interview. The Examiner indicated that the above amendments to claim 1, as discussed, appeared to overcome the rejections.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-7 and 9 under 35 U.S.C. §103(a) as being unpatentable over Yoda are respectfully requested.

The Office Action, on pages 5 and 6 reject claims 11, 13, 15 and 18 under 35 U.S.C. §103(a) as being unpatentable over Yoda in view of Applicants' "admitted prior art." This rejection is respectfully traversed.

The shortfalls in the application of Yoda as a reference to reject independent claim 1 are not overcome by what is alleged by the Office Action as Applicants' "admitted prior art," as described in the Description of the Related Art, contained in pages 1-13 of the Specification and the depictions in Figs. 34(A)-43. The Description of Related Art does not disclose, or suggest, the combination of features recited in independent claim 1. Thus, even if it is assumed that the described related art is prior art, combined with Yoda, it does not disclose the subject matter of the enumerated claims. Applicants respectfully submit that the

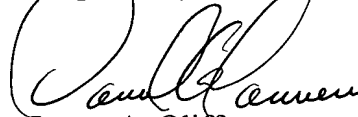
combination of the applied references therefore neither discloses or suggests the features recited in dependent claims 11, 13, 15 and 18, which depend from independent claim 1.

Accordingly, reconsideration and withdrawal of the rejection of claims 11, 13, 15 and 18 under 35 U.S.C. §103(a) as being unpatentable over the applied references are respectfully requested.

Based on the foregoing, Applicants respectfully submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this Application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



James A. Oliff

Registration No. 27,075

Daniel A. Tanner, III

Registration No. 54,734

JAO:DAT/jfb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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